IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINETEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 197 of 2005

Between:

Verpula Deva Swamy, S/o. Veeraiah,
Resident of Uppalachelaka Village, Konijerla Mandal, Khammam District.

..... PETITIONER

AND

1..The Mandal Revenue Officer, Konijerla Mandal, Konijerla,

Khammam District.
2..The Revenue Divisional Officer, Khammam Division,

Khammam District.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass an order or direction or writ under Article 226 of the Constitution of India, more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not mutating the name of the petitioner for the lands admeasuring Ac.3.22 guntas in Sy.No. 61/2 situated at Gubbagurthi Village, Uppala Chelaka Gramapanchayat, Konijerla Mandal, Khammam District as per the registered sale deed document No. 701 of 2004 dated 23-9-2004 of Sub Registrar's Office, Wyra, Khammam District and not issuing the Pattedar Pass Book in favour of the petitioner, as illegal, arbitrary, bad and against the principles of natural justice and consequently direct the respondents to mutate the above land in favour of the petitioner and issue pattedar Pass book under the Records of Rights Act and pass such other and further order or orders

Counsel for the Petitioner:MR.C.DAMODHAR REDDY

Counsel for Respondents.: GP FOR REVENUE

The Court at the stage of admission made the following :

ORDER:

The petitioner claims to be owner and possessor of land admeasuring Ac.3.22 guntas in survey No.61/2, Gubbagurthi village, Uppala Chelaka Grampanchayat, Konijerla Mandal, having purchased the same under a registered sale deed dated 23-9-2004. After purchase of the said land, the petitioner stated to have made an application in prescribed proforma, before the first respondent for mutation and issuance of pattedar pass book under Records of Rights Act,in his favour. The grievance of the petitioner is that no action was taken on the said application and the petitioner is facing difficulties in raising loans. Hence, the present writ petition.

Heard the learned counsel for petitioner and learned Government Pleader for Revenue. Both counsel agreed for disposal of the writ petition at the admission stage.

The petitioner has not chosen to produce the material to substantiate that he has approached the authorities by filing an application for mutation and issuance of pattedar passbook, and in the absence of such material, it cannot be said that respondents have not acted in the matter. Hence, I deem it appropriate to dispose of the writ petition with the following direction;

The petitioner is directed to submit an application in prescribed proforma

together with material in support of his claim, before the first respondent. On filing such an application, the first respondent shall consider the same and pass appropriate orders in accordance with law, expeditiously, preferably within a period of eight weeks thereof.

Accordingly, the writ petition is disposed of. No costs.

_____ N.V.RAMANA,J

19TH JANUARY,2005

TVK

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1..The Mandal Revenue Officer, Konijerla Mandal, Konijerla,

Khammam District.

2..The Revenue Divisional Officer, Khammam Division,

Khammam District.

3.2CCs to Government Pleader for Revenue, High Court buildigns, Hyderabad (OUT)

4.2CD copies

5.2CCs to